



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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June 04, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

51 June 4, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**AUTHORIZATION TO APPROVE
WATERSHED MANAGEMENT PROGRAMS AND
COORDINATED INTEGRATED MONITORING PROGRAMS FOR SUBMITTAL
ON BEHALF OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to authorize the Chief Engineer of the Los Angeles County Flood Control District or her designee to approve Watershed Management Programs and Coordinated Integrated Monitoring Programs, on behalf of the Los Angeles County Flood Control District for submittal to the California Regional Water Quality Control Board, Los Angeles Region, in accordance with the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Find that the proposed action in the recommendation below is exempt from the California Environmental Quality Act for the reasons stated in this letter and in the record of the project.
2. Authorize the Chief Engineer or her designee on behalf of the Los Angeles County Control Flood Control District to approve Watershed Management Programs and Coordinated Integrated Monitoring Programs, including revisions, for submittal to the California Regional Water Quality Control Board, Los Angeles Region, in accordance with the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On December 28, 2012, Order No. R4-2012-0175, the new National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit (MS4 Permit) became effective. The new MS4 Permit encourages the 86 Permittees, including the Los Angeles County Flood Control District (LACFCD), to collaborate with one another in the development of planning strategies and projects to comply with the Permit.

On June 18, 2013, the Board authorized the LACFCD to submit letters to the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) stating the County's intent to collaborate with other Permittees to develop Watershed Management Programs (WMPs), Enhanced Watershed Management Programs (EWMPs), and Coordinated Integrated Monitoring Programs (CIMPs).

On July 30, 2013, the Board authorized LACFCD to enter into cost-sharing Memorandums of Understanding (MOUs) for the development of these programs with other Permittees in accordance with the MS4 Permit. A total of 70 Permittees formed twelve EWMP groups and seven WMP groups to develop the aforementioned programs. Of the groups formed, the LACFCD is participating in all twelve EWMP groups and six WMP groups. Each MOU specifies which Permittee will act as Contract Administrator on behalf of the parties.

In accordance with the MS4 Permit, WMP groups are required to submit their WMP by June 28, 2014, to the Regional Board, and all watershed groups (WMPs and EWMPs) are required to submit their CIMP by the same June 28, 2014, deadline. Each WMP or CIMP will be submitted to the Regional Board by the Contract Administrator for the watershed group. Upon the Regional Board's review and approval of the CIMP, each watershed group will be required to implement its approved CIMP within 90 days.

The purpose of the recommendations is to find that the recommended action is exempt from the California Environmental Quality Act (CEQA) and to authorize the Chief Engineer of the LACFCD or her designee to approve the WMPs and CIMPs for submittal to the Regional Board including revisions. A revised submittal would only be authorized for minor revisions requested by the Regional Board, which do not impact the original environmental findings. Participating in the development and submittal of the WMPs and CIMPs is part of the LACFCD's ongoing program to comply with the requirements of the MS4 Permit.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The recommended actions support the development of a cooperative partnership with local agencies to provide a public service in an effective and efficient manner.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The WMPs to be submitted by June 28, 2014, identify strategies, best management practices (BMPs), and projects to achieve effective and collaborative watershed planning in accordance with the MS4 Permit. Upon the Regional Board's review and approval of the WMPs, we will return to the Board for approval to execute MOUs for specific projects between the LACFCD and other participating Permittees.

The CIMPs to be submitted by June 28, 2014, will identify each watershed group's collaborative monitoring, reporting, and recordkeeping requirements in accordance with the MS4 Permit. The annual cost to the LACFCD for all of the monitoring associated with the CIMP is approximately \$894,000 as shown in Exhibit A. This cost includes installation, operation and maintenance, sample collection, lab analysis, consultant support, contract administration, and contingencies. Subsequent to submittal of the CIMPs, we will return to the Board for approval of delegated authority for the LACFCD to enter into MOUs for each watershed group to implement its approved CIMP. Funding for the Memorandums of Understanding is included in the Flood Fund Fiscal Year 2014-15 Budget. Funding for subsequent fiscal years will be requested through the annual budget process.

The LACFCD and other participating Permittees' fair share of the cost to implement these programs will be agreed upon within each watershed group and reflected in each MOU. The groups are expected to distribute the cost annually throughout the remaining years of the current MS4 Permit term, namely Fiscal Years 2014-15 to 2016-17.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On December 28, 2012, the new MS4 Permit (Order No. R4-2012-0175) became effective. The MS4 Permit encourages permittees to develop, submit, and implement WMPs and CIMPs collaboratively. Participating in the development and submittal of WMPs and CIMPs is part of the LACFCD's ongoing programs to comply with the requirements of the Permit.

ENVIRONMENTAL DOCUMENTATION

The proposed authorization to approve the WMPs for submittal is not a project pursuant to the California Environmental Quality Act (CEQA) because it is an activity that is excluded from the definition of a project by Section 15378(b) of the CEQA Guidelines. This proposed action is an administrative activity of government, which will not result in direct or indirect physical changes to the environment. The LACFCD is participating in the development and submittal of the WMPs as part of a collaborative effort with other Permittees to comply with the requirements of the MS4 Permit. However, while the LACFCD owns easements and rights of way throughout Los Angeles County for its flood control facilities (namely storm drains and channels), it has no regulatory land use jurisdiction in any of these watershed groups. Therefore, the WMPs do not include any projects to be undertaken or financed by the LACFCD. Subsequent to submittal of the WMPs, the LACFCD will further evaluate the proposed projects to determine any potential for LACFCD participation and will return to the Board for approval to execute MOUs for specific projects between the LACFCD and other participating Permittees, if any. At that time, the LACFCD will recommend consideration of the appropriate environmental documentation for any such projects.

The proposed authorization to approve the CIMP submittal is categorically exempt from CEQA. Implementation of the CIMPs will involve the installation of monitoring devices for data collection, research, experimental management, and resource evaluation activities that will not result in serious or major disturbance to an environmental resource. Implementation may also involve soil analysis, drilling, boring, trenching, and backfilling. These activities are within certain classes of projects that have been determined not to have a significant effect on the environment in that they meet the criteria of Sections 15304 and 15306 of the CEQA Guidelines and Classes 4 and 6 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. These activities are part of studies leading to possible future actions, which the LACFCD has not approved, adopted, or funded.

These activities will not occur in a sensitive environment and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make these exemptions inapplicable, based on the project records.

Upon the Board's approval of the recommended actions, the LACFCD will file Notices of Exemption for the WMPs and CIMP's with the Registrar-Recorder/County Clerk in accordance with Section 15062 of the State CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current services.

CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office, (Community and Municipal Services Cluster) and one copy to the Department of Public Works, Watershed Management Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:GH:ba

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

EXHIBIT A

**ESTIMATED MS4 MONITORING COSTS
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT**

EWMP/WMP Group Name	FY 14/15 - FY 18/19 Estimated Annual Average
Upper Santa Clara River Watershed	\$37,000
Upper Los Angeles River Watershed Group	\$108,000
Los Angeles River Upper Reach 2 Sub Watershed	\$25,000
Lower Los Angeles River Watershed	\$31,000
Rio Hondo/San Gabriel River Water Quality Group	\$37,000
East San Gabriel Valley Watershed Management Area	\$41,000
Lower San Gabriel River	\$26,000
Los Cerritos Channel Watershed Group	\$52,000
Malibu Creek Watershed Group	\$37,000
Marina del Rey	\$209,000
North Santa Monica Bay Coastal Watersheds	\$41,000
Santa Monica Bay Jurisdictions 2 & 3	\$37,000
Beach Cities Watershed Management Group	\$43,000
Peninsula EWMP Agencies	\$41,000
Ballona Creek	\$32,000
Dominguez Channel Watershed Management Area Group	\$55,000
Alamitos Bay/Los Cerritos Channel Group	\$27,000
Santa Monica Bay Jurisdiction 7	\$15,000
<u>Total</u>	<u>\$894,000</u>